

# **Exhibit B**

## ***Curriculum Vitae* of Michael McGowan**

Metafor LLC  
137 Montague St. #260  
Brooklyn, NY 11201

## Michael F. McGowan

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Michael F. McGowan has been at the forefront of applying technology, digital forensics, data and statistical analyses, and investigative skills to resolving issues involving compliance and electronic data for over 19 years. He has been on the front lines responding to cybersecurity incidents ranging from opportunistic “drive-by” hacks to motivated nation-state adversaries.

Mr. McGowan has led the technical analysis numerous high-profile matters including,

- Conducted a document authentication investigation in *Ceglia v. Zuckerberg* that established that the plaintiff had electronically forged the contract on which he sued Mark Zuckerberg for half of his shares in Facebook;
- Served as Major League Baseball’s expert in the arbitration over Alex Rodriguez’s suspension due to the use of performance enhancing drugs, which the arbiter upheld citing in part Mr. McGowan’s analysis of the authenticity of text messages;
- Located and analyzed the metadata of a significant document in the Enron “Barge” investigation. Testified at trial as the government’s digital forensic expert.
- Found that a plaintiff, who had alleged that a multi-billion dollar movie franchise misappropriated his creative work, failed to produce relevant electronic devices for inspection. The lawsuit was dismissed following Mr. McGowan’s determination that files had been deleted from the devices shortly before the plaintiff ultimately produced them for inspection;
- In response to a Congressional investigation, searched servers, computers, smartphones, and backup tapes to recover White House senior staff emails subject to retention under the Presidential Records Act;
- Led a round-the-clock, court-ordered forensic examination of the adverse party’s electronic data in the *Echostar v. Zoom* litigation that uncovered a deleted, key document that facilitated the settlement of a multi-hundred-million-dollar case;
- Led the assessments of the functionality and suitability of AML and sanctions compliance systems for the monitoring of HSBC ordered by the U.S. Department of Justice and the Federal Reserve Board, and the monitoring of the Agricultural Bank of China ordered by the New York Department of Financial Services;
- Determined the technical root cause as to why financial clearing systems failed to retain several days of transactional history; and conducted a root cause analysis as to why OFAC systems did not block transactions by Specially Designated Nationals and individuals in sanctioned countries; and
- Established whether a collaboration software company under FTC scrutiny handled and deleted customer data in accordance with its stated policies by tracing and mapping how user data was transmitted through and stored in the company’s systems and whether the data privacy controls were operating effectively.

## PROFESSIONAL EXPERIENCE

### Metafor LLC

2019 to Present

Principal

Founded and run a consulting and technical services company that specializes in data and metadata forensics and cybersecurity.

### Aon Cyber Solutions (and its predecessor, Stroz Friedberg, LLC)

2003 to 2018

Managing Director (April 2013 to December 2018)

Director, Digital Forensics (April 2006 to April 2013)

Assistant Director of Computer Forensics (February 2004 to April 2006)

Consultant and Computer Forensic Examiner (June 2003 to February 2004)

Supervised the New York digital forensic lab of Stroz Friedberg. Testified as a digital forensic expert in numerous venues.

## TESTIMONY

October 2022: Provided hearing testimony as an expert in digital forensics and cell phone devices in *Commonwealth of Virginia v. Bhagavan Kevin Antle, V.A. Frederick Cnty. Case No. CR20-814-828*.

May 2022: Provided deposition testimony as a digital forensics expert in *Allscripts et al. v. Andor Health et al., C.A. No. 1:21-cv-00704-MAK (D. Del.)*.

July 2019: Provided deposition testimony as a digital forensics expert in *Hall et al. v. Sargeant, Case No. 9:18-cv-80748-ALTMAN/Reinhart (S.D. Fla.)*.

July 2017: Provided trial testimony as an expert in the area of the collection, preservation, and forensic analysis of electronic devices, and in particular, cellphones and smartphones in *State of New Jersey v. Michael Doce, N.J. Middlesex Cnty. Indictment No. 12-05-00855*.

June and July 2014: Provided hearing testimony as an expert in the area of the collection, preservation, and forensic analysis of electronic devices, and in particular, cellphones and smartphones in *State of New Jersey v. Michael Doce, N.J. Middlesex Cnty. Indictment No. 12-05-00855*.

October and November 2013: Provided hearing and rebuttal testimony as a digital forensics expert in *In the Matter of Arbitration between Major League Baseball Players Association and the Office of the Commissioner of Baseball, Grievance No. 2013-02 (Alexander Rodriguez) in New York, NY*.

April 2013: Provided testimony about a digital forensic examination in *In the Matter of Certain Rubber Resins and Processes for Manufacturing Same, US Int'l Trade Comm'n., Investigation No. 337-TA-849*.

January 2013: Provided deposition testimony as a digital forensics and data analytics expert in *Reed Construction Data Inc. v. The McGraw-Hill Companies, Inc., et al., 09 CV 8578 (JPO) (S.D.N.Y.)*.

July 2012: Provided deposition testimony as a digital forensics expert in *Paul D. Ceglia v. Mark Elliott Zuckerberg, Individually, and Facebook, Inc., 1:10-cv-00569-RJA (W.D.N.Y.)*

February 2012: Provided testimony as a digital forensics expert at a spoliation hearing in *Alycia Lane v. CBS Broadcasting, Inc., et al., Ct. Com. Pl., Phila. Co., Sept. Term, 2008, No. 03425*.

January 2012: Provided trial testimony as a digital forensics expert in *Donald G. Drapkin v. MAFCO Consolidated Group, Inc.*, 09 Civ. 1285 (PGG) and *MacAndrews & Forbes LLC v. Donald G. Drapkin*, 09 Civ. 4513 (S.D.N.Y.).

July 2011: Provided deposition testimony as a digital forensics expert in *Sartomer USA v. Earl Emerson, et al.*, CCP, Chester County, No. 10-07708.

May 2010: Provided deposition testimony as a digital forensics expert in *Donald G. Drapkin v. MAFCO Consolidated Group, Inc.*, 09 Civ. 1285 (PGG) and *MacAndrews & Forbes LLC v. Donald G. Drapkin*, 09 Civ. 4513 (S.D.N.Y.).

December 2009: Testified as a digital forensics expert in *Suryawanshi et al. v. UBS AG et al.*, FINRA Arbitration (FINRA No. 09-02568).

April 2009: Provided deposition and court testimony as a digital forensics expert in *Flying Disc Investments L.P., et al., v. Baker Communications Fund II, L.P., et al.*, Super. Ct. of Cal. (CGC 05447294).

June 2007: Testified as a digital forensics expert in *U.S. v. Zafar*, 06-CR-289 (E.D.N.Y.).

July 2005: Testified as a digital forensics expert in *Wall Street Network LTD v. The New York Times Co., et al.*, Super. Ct. of Cal. (BC 304596).

December 2004: Testified as a digital forensics expert in *Gerner, et al. v. Applied Indus. Materials Corp., et al.*, Super. Ct. Conn.

October 2004: Testified as a digital forensics expert in *U.S. v. Bayly, et al.*, H-03-cr-363 (S.D. Tex).

June 2004: Testified regarding a digital forensics protocol in *Adkins v. General Motors Corp., et al.*, 03 CV 3613 (JS) (E.D.N.Y.).

June 2004: Testified as a digital forensics expert in *Philip Morris USA, Inc. v. Otamedia, Ltd.*, 02 Civ. 7575 (GEL) (S.D.N.Y.).

## **LECTURES AND PRESENTATIONS**

September 2021: Participated in a panel discussion on "Assuring Technical Privacy Compliance," hosted by the Privacy + Security Forum.

October 2019: Lectured and participated in a panel discussion on "Identifying, Preparing and Presenting Expert Witnesses," hosted by the Criminal Trial Advocacy Institute at the New Jersey Law Center.

February 2019: Spoke on a continuing legal education panel on "How Can Law Firms and Legal Service Providers Combat Cybersecurity Issues" hosted by the Practising Law Institute.

March 2018: Participated in a panel discussion on incident response, digital forensics, and data breaches hosted by the Business Law Section of the American Bar Association.

January 2018: Spoke on a continuing legal education panel on "Select Issues in Digital Evidence, Social Media, and Discovery" hosted by the Heckel Inn of Court at Rutgers Law School.

January 2018: Delivered a continuing legal education lecture titled "Cybersecurity Best Practices for Legal Services Providers" hosted by the Practising Law Institute.

October 2017: Participated in a panel discussion titled "Cybersecurity Issues concerning Internet of Things devices" hosted by the Legal Information Institute at Cornell Law School.

September 2016: Participated in a panel discussion titled “Legal and Practical Problems of Security in a Fast Moving FinTech World” at the FinTech Forum Silicon Valley hosted by the George Washington University School of Law.

June 2014: Delivered a lecture titled “Digital Security and You” at the Down Town Association in New York, NY.

April 2014: Participated in a panel discussion webinar about smartphone evidentiary issues co-hosted by Davis Polk.

June 2013: Led a round table discussion on the topic of Bring Your Own Device (“BYOD”) and its impacts on IT security and digital forensics at the Fordham CIO Roundtable.

May 2012: Delivered a lecture titled “Computer Forensics Demonstration” at the Internet Technology Basics for Judges Conference hosted by the Center on Law and Information Policy at Fordham Law School.

September 2011: Delivered a lecture titled “Cloud Computing Investigations” at the National Forensic Accounting Conference hosted by the American Institute of Certified Public Accountants.

September 2010: Delivered a lecture titled “Social Networking Forensics” at the High Technology Crime Investigation’s International Conference in Atlanta, GA.

June 2010: Participated in a panel discussion on evidentiary issues regarding social network websites hosted by the New York City chapter of Women in E-Discovery.

May 2010: Delivered a lecture at the Cyber Security and Applications seminar at Fordham University.

April 2010: Delivered a lecture titled “Web Browsing: Neither Discreet Nor Discrete” at the Computer Forensic Show.

April 2009: Co-presented a lecture titled “Digital Forensics in a Business Use: A Case Study in Recovering DNA from a Hard Drive” at the John Jay Center for Cybercrime Studies.

April 2008: Delivered a lecture titled “E-Discovery and IP Theft” to the New York chapter of InfraGard.

May 2007: Co-presented at a seminar for the Business Law Section of the New York State Bar Association titled “Hidden Data: Its Dangers and Traps for the Unwary.”

## **PUBLICATIONS**

November 2020: Co-authored “Navigating a Ransomware Response in Light of Recent OFAC Guidance,” a *Risk Assistance Network + Exchange* advisory.

November 2007: Co-authored “Electronic Discovery Behind Enemy Lines: Inspection Of An Adversary’s Network Pursuant To FRCP 34(a)” in Metropolitan Corporate Counsel.

October 2006: Co-authored “Lost Back-up Tapes, Stolen Laptops and Other Tales of Data Breach Woe” in *Computer and Internet Lawyer*.

September 2005: Co-authored “Electronic Discovery Technology” in Adam Cohen and David Lender’s treatise *Electronic Discovery: Law and Practice*.

May 2004: Co-authored “Your Company’s Computer System” in *E Discovery: A Guide for Corporate Counsel* by Sills Cummins Epstein & Gross P.C.

## **EDUCATION**

### **University of Chicago**

B.A. Economics and Statistics with General Honors, 2003.

## **CERTIFICATIONS**

GIAC Advanced Smartphone Forensics – 2021 to present

Chainalysis Cryptocurrency Fundamentals Certification (CCFC) – 2021 to 2023

Certified Information Systems Auditor (CISA) – 2015 to present

Chainalysis Reactor Certification – 2020 to 2021

EnCase Certified Forensic Examiner (EnCE) – 2004 to 2016

## **TRAINING**

### **SANS Institute, 2022**

*Windows Forensic Analysis*

Attended training course on the acquisition and analysis of electronic data from computers running the Windows operating system.

### **SANS Institute, 2022**

*Digital Forensics and Incident Response Summit*

Attended training conference on current topics in digital forensic and incident response, including analyzing cloud-based evidence, smartphones, and other data sources.

### **Digital Forensic Research Workshop, 2022**

Attended annual conference on current digital forensic research.

### **Mid-Atlantic Association of Forensic Scientists (“MAAFS”) Annual Meeting, 2022**

*Forensic Examination of Handwritten Electronic Signatures*

Attended workshop on the methodology and techniques for examining handwritten electronic signatures.

### **Cybersecurity Docket, 2022**

*Incident Response Forum Ransomware 2022*

Attended conference on mitigating and responding to ransomware attacks.

### **International Association of Privacy Professionals (“IAPP”), 2021**

*Privacy in Technology Online Training*

Attended training course on privacy principles and measures for designing systems and software to ensure better privacy.

### **SANS Institute, 2021**

*Smartphone Forensic Analysis In-Depth*

Attended training course on the acquisition and analysis of iOS and Android smartphones.

### **Program on Corporate Compliance and Enforcement at NYU School of Law, 2021**

*Confronting Cybersecurity and Data Privacy Challenges in Times of Unprecedented Change*

Attended conference on cybersecurity and data privacy risks and related regulatory and enforcement actions.

**Chainalysis Cryptocurrency Fundamentals, 2021**

Attended training course about cryptocurrency technologies, financial crime risks, and investigations.

**Chainalysis Reactor Certification, 2020**

Attended training course on conducting cryptocurrency investigations.

**National White Collar Crime Center (“NWC3”), 2020**

*Cryptocurrency, Compliance, and Financial Crimes*

Attended webinar on legal, regulatory, and technical considerations for investigating cryptocurrencies.

**SANS Institute, 2020**

*Digital Forensics & Incident Response Summit*

Attended lectures on digital forensic research.

**Magnet Forensics, 2020**

*Magnet Cloud and Internet Investigations*

Attended training course on the identification, preservation, and analysis of cloud-based and online digital evidence.

**Magnet Forensics, 2019**

*Magnet AXIOM Examinations*

Attended training course on digital forensic examinations of computers, USB drives, cloud-based data, and smartphones.

**National White Collar Crime Center (“NWC3”), 2019**

*To the Cloud! Get the Evidence You Need to Move Cases Forward*

Attended webinar on legal and technical considerations for cloud-based digital evidence.

**Cellebrite, 2017**

*Mobile Device Forensic Fundamentals Concepts*

Attended training course on the identification and handling of mobile device evidence.

**Association of Certified Anti-Money Laundering Specialists, 2016**

Attended lectures concerning examining anti-money laundering systems and analytical techniques.

**Volatility Project, 2013**

*Windows Malware and Memory Forensics Training Course*

Attended training focused on malware analysis and the forensic preservation and analysis of memory from Windows operating systems.

**HTCIA International Conference, 2010**

Attended lectures concerning mobile device forensics and incident response.

**Digital Forensic Research Workshop, 2007**

Attended annual conference on current digital forensic research.

**SANS Institute, 2007**

*Hacker Techniques, Exploits & Incident Handling*

Attended training course on identifying computer vulnerabilities and responding to computer incidents.

**SANS Institute, 2005**

*System Forensics, Investigation & Response*

Attended training concerning digital forensics and incident response covering file system structures, network response, and malicious code review.

**Guidance Software, 2003**

*EnCase Intermediate Analysis and Reporting*

Attended core training course on general digital forensic issues and the use of Guidance Software's EnCase digital forensic software to analyze electronic data.

**Stroz Friedberg Internal Cyber Training Program, 2003 - 2017:** Participated in regular in-house training presentations on current digital forensics, cybercrime response, computer security, desktop, and network forensics tools.

As of February 2023